

1895-026 Chancery Causes: Alice Flanary & vs. Crab Orchard Coal & Iron Co] &c
Lee Co.

Arnett, Anderson, Larmer, Pennington, Stivers, Spurrier 1 Plat

CA-Estate Dispute
T-Property

To the Hon. Wm. T. Miller, Judge of the Circuit Court Of Lee County:-

Humbly Complaining, your oratrices, Mrs. Sarah Flanary, Mrs. Alice Flanary and Mrs. Emma Flanary, heirs at law of Elijah Pennington decd., would respectfully represent that heretofore, to-wit, on the day of 1882, the said Elijah Pennington departed this life intestate, seized and possessed of the reversion in fee of a large real estate, lying and being Lee County, in the Crab Orchard country and on Reed's creek; that this real estate is composed of two distinct and disconnected tracts of land, one lying adjoining the lands formerly owned by Thomas Cooney and is said to contain some 20 or 25 acres, and the other adjoining the lands of William Woodward and is said to contain some 300 or 350 acres, and on this latter tract the said Elijah lived at the time of his death; that on his death he left surviving him a wife, named Sarah, and seven children, and six grand-children as heirs at law; that a few months before his death he made, executed and delivered a deed to his wife, the said Sarah Pennington, to all his real estate for and during her natural life; that on the day of 189..... the said Sarah Pennington also departed this life; the names of the said seven children are W.M. Pennington, Edward Pennington, Mary Flanary, the wife of R.D. Flanary, Nancey Larmer, the wife of James Larmer, Martha Stivers, the wife of W.S. Stivers, Lutitia Spurrier, the wife of Solomon Spurrier, and one of your oratrices, the said Sarah Flanary, the wife of William Flanary decd.; that the names of the said grand-children which are heirs of the said Elijah are your complainants, the said Emma who is the wife of Elbert S. Flanary and the said Alice who is the wife of J.J.C. Flanary, and who were the daughters of the said Elijah's son, Abraham Pennington, and who was killed during the last war, and long before the said Elijah died; and also the four children of Nervesta Anderson, another daughter of the said Elijah, and who died before he ~~died~~, and named George, Jennie, William and ~~Robert~~.....; that these four children are each infants and also non-residents of this State.

Your complainants will farther show unto your Honor, that the said W.M. & Edward Pennington, the said Mary Flanary, Martha Stivers and Lutitia

Spurrier and ~~Nancey Larmer~~ have each sold their respective interests in the said lands, the said Nancey to one Dr. ~~Spurrier~~ Larmer of Missouri and the other five to the Crab Orchard Coal & Iron Company, a corporation. So that only the said Company, ^{said Nancey Larmer} ~~said Dr. Larmer~~, said infant children of the said Nervesta Anderson and your Complainants are now interested in the said lands.

Your complainants will farther represent unto your Honor that some time last Spring the said Company went upon the said 20 or 25 acre tract, without the knowledge or consent of either of the said persons interested in the same, and cut, sold and took away all the most valuable poplar timber thereon; this tract of land was only valuable for the timber on it, and the said Company owns other lands adjoining this small tract of land. Said lands were never partitioned among those entitled thereto: but the same is capable of being partitioned. Nor has the said Company accounted with either the said co-owners of ~~said~~ said land for any part of the timber taken therefrom, and it is now insolvent.

The premises considered, your complainants are advised that they have rights in the said land, which only a court of Chancery is ^{and that they are entitled to have the same partitioned} capable of passing on, the prayer therefore of your oratrices is that the said Crab Orchard Coal & Iron Company, ~~Dr. Nancey~~ Larmer, George Anderson, Jenie ^{Smith} (nee Jennie Anderson), William Anderson, ^{Robert} Anderson be made parties defendants to this bill of complaint, and that they be required to answer the same on oath; that a guardian ad litem be appointed for the said infant defendants to defend their rights herein; that an order of publication be made against the said infant defendants and the said Larmer; and that on a hearing ^{be directed to} the said cause that the said lands be partitioned amongst the said parties before shown to have an interest therein, that if the same can be done that the said interests of the said complainants, Larmer and the said Anderson Children be assigned them adjoining to each other, and that since the said Company is insolvent that it be required to take the said 20 or 25 acre tract at what it would have been worth before the said

Alice Flanagan et al -
vs. } Rice, the Clerk -
Carobachand Co. & J. Co

To the Hon/ W.T.Miller, Judge of the Circuit Court of Lee Co.

The separate answer of of George Anderson, William Anderson,
Robert Anderson and Jennie Arnett, infants under the age of
21 years old, ^{by} Chas.H.Jones, their guardian ad litem, assigned
to defend them in this suit, to a bill in chancery exhibited
against them by Alice, Emma and Sarah Flanary:

The respondents reserving to ~~themselves~~ ^{themselves} the benefit of all
just exceptions to the said bill for answer thereto, or to
so much thereof as they are advised that they should answer,
by their said ~~h~~ guardian ad litem answering say: that they ~~are~~
infants of tender years, and by reason of their infancy are in
capable of understanding and taking care of their ~~interest~~ ^{rights}
and interests in the said suit: They therefore by their said
guardian, commend themselves and their rights to the protection
of the Court, and pray that no decree may be pronounced that
will ~~be~~ ^{to} their prejudice. And now having fully answered, the ~~said~~
respondents pray to be hence dismissed from this suit with
their reasonable costs in this behalf expended. and they will
ever pray etc.

Chas. H. Jones.

Guardian ad litem for

Geo. Anderson,

William Anderson,

Robert Anderson,

Jennie Arnett.

Jennie Arnett.

Robert Anderson,

William Anderson,

Geo. Anderson,

Guardian ad litem for

ever pray etc.

their reasonable costs in the behalf expended. and they will

respondent prays to be hence dismissed from this suit with

all their prejudice. And now having fully answered, the said

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Alice Flanagan et al

vs. ~~Answer G.A.P.~~
Leah Anderson et al

Alice Flanary et als. Compts.

vs.

In Chancery.

Crab Orchard Coal & Iron Co/ Deft.

This cause came on again to be heard upon the papers ^{formerly} read therein and the report of Commissioners L.M. Carmical, C.L. Laningham and Wm. Woodward and plat filed therewith, filed in this cause on the 22nd/day of May, 1895, and to which report and plat there are no exceptions: On consideration of all which and for reasons appearing to the Court, it is adjudged, ordered and decreed that said report and plat be and is hereby confirmed, and that Alice and Emma Flanary take and hold in fee-simple lot ^{one} of the land described in the report of the said commissioners, which is bounded as follows, to-wit, Beginning at a stake in the public road (with a small white-oak pointer three links to the south), a corner to lot No. 2, thence with said road N. $1\frac{1}{2}$ E. $5\frac{1}{2}$ poles, N. 42° W. $9\frac{3}{4}$ poles, N. $9\frac{1}{2}^\circ$ W. 7 poles, 60 W. 10 poles, 80 W. $11\frac{1}{2}$ poles, N. 57° W. 7 poles to a stake on the north line of the original tract, and with the same N. $85\frac{3}{4}^\circ$ W. 47 poles to hhestnut sapplings, original corner, thence continuing with original line, N. $85\frac{3}{4}^\circ$ W. 34 poles to a birch on Summer's creek, thence down the same as its meanders S. $6\frac{1}{2}^\circ$ E. 26 poles, S. $1\frac{1}{4}^\circ$ E. $12\frac{1}{2}$ poles to a stake, corner to lot No. 2, and with line of same N. $78\frac{1}{2}^\circ$ E. 127 poles to the Beginning, and containing $22\frac{1}{2}$ acres more or less; that Sarah Flanary take and hold in fee-simple lot No. 2 described in said report, and bounded as follows, to-wit: Beginning at a stake in the road, (said stake bears from a white-oak pointer N. 25° E. 16 links), thence with said road N. $23\frac{1}{4}^\circ$ W. $12\frac{1}{2}$ poles, N. $1\frac{1}{2}^\circ$ E. 10 poles to a stake, the beginning corner of lot No. one, S. $78\frac{1}{2}^\circ$ W. 127 poles to stake in Summer's creek, and with same, S. $1\frac{1}{4}^\circ$ E. 14 poles, S. $25\frac{1}{2}^\circ$ E. 12 poles, ⁵ $7\frac{1}{4}^\circ$ E. 11 poles to a stake, thence N. $71\frac{1}{2}^\circ$ E.

130 poles to the Beginning, and containing 22 1/2 acres more or less; that George Anderson, William Anderson, Robert Anderson, and Jennie Arnett (nee Jennie Anderson) take and hold jointly in fee-simple lot number three and bounded as follows, to-wit: Beginning at a stake in the road about one pole north of of a rock quarry, and west of a white-oak pointer marked, thence with said road N. 23 1/4 W. 22 1/2 poles, S. 71 1/2 W. 130 poles to a stake in Summer's creek and with same, S. 7 1/4 W. 12 poles to a birch corner to William Miller's land, thence leaving said creek and with the original line S. 88 1/4 E. 54 poles to a white-oak, maple and sourwood on the top of a ridge, thence with the original line S. 36 E. 8 3/4 poles to a white-oak, thence N. 62 E. 84 poles to the beginning and containing 22 1/2 acres more or less; that Nancy Larmer take and hold in fee-simple lot number 4 and bounded as follows to-wit: Beginning at a stake in a road, corner to lot No. three, thence with line of same S. 62 W. 84 poles to a white-oak on the top of a ridge, thence with original line N. 26 E. 11 1/4 poles, S. 10 E. 21 1/2 poles to a stake and a small sourwood, a corner said Craborchard Coal and Iron Company's land, (formerly Jas. Rutherford's) and with line of same N. 82 E. 52 poles to a beech marked "P", one pole south of a road, N. 11 3/4 E. 44 poles, ¹²51 3/4 E. 11 1/2 poles, thence with Road, N. 28 3/4 W. 12 poles to the ~~and contain 18 acres more or less~~ Beginning; and that the Craborchard Coal and Iron Company take and hold lots No. Five and six, and lot No. bounded as follows to-wit, Beginning at a beech marked "P" corner to lot No. four and to the Jas. Rutherford lands and with lines of the latter S. 56 E. 11 1/4 poles to a black-gum, S. 29 3/4 ¹²E. poles to a white-oak, 66 1/2 E. 16 1/4 poles to a white-oak, N. 85 1/2 E. 14 poles to a chestnut-oak, 82 1/4 ³E. 19 poles to a chestnut marked "K" S. 53 3/4 E. poles to a chestnut-oak, N. 89 E. 12 1/4

to a black-gum, N.13 1/2 E.14 poles with Penley's line, N.16 3/4
E.19 2/3 poles, S.83 3/4 E.17 1/4 poles, ~~N.~~N.52 1/2 E.9 poles
to a white-oak marked "D" and four hickories, Mrs. Ely's
corner, and with lines of same and the top of ridge, N.13 W.

W.24 poles to a white-oak marked "Q", N.24 3/4 W.12 1/5 poles
to a white oak, N.35 W.10 poles to a chestnut, thence N.12 1/2
W.43 1/2 poles to large rock on the north side of the road,
N.70 3/4 W.22 poles to a chestnut on the top of a spur, 35 W/
24 1/2 poles to a white oak, 46 1/2 W/ 11 poles to a small black
black oak, thence leaving the top of said ridge and said Mrs.
Ely's land and with original North line of tract ^{n.} 35 3/4 W.

86 poles to a stake, corner to lot No. one, and with line of
same S.57 E.7 poles, S.80 E.11 1/2 poles, N.60 E.10 poles, S.

42 E.9 3/4 poles S.1 1/2 E. 15 poles, continuing with lines of

lots No/ 2 and 3 and 4 S.23 1/4 E.35 poles, ^s28 3/4 E.12 poles, ^s51 3/4

^{11 1/2 poles} S.11.1/2 W.44 poles to the beginning, containing 85 acres more

or less and lot No. six bounded as follows, to-wit: Beginning

at a buckeye in a branch, corner to William Woodward's land,

thence with lines of same S.48 3/4 E. 32 poles to a poplar,

S.30 3/4 E. 20 poles to a beech, ^s4 1/2 E. 7 3/4 poles to a

poplar and white-oak, S/29 1/2 W.17 1/5 poles to a maple and

sourwood on the top of a spur, ^s40 1/2 W.22 poles to service,

S.57 1/2 E.10 poles to a chestnut on the top of a ridge and

with the same and with west line of the original tract S.61

E.11 poles to a chestnut-oak, ^s22 3/4 E.14 poles to a chestnut

S.47 E.9 poles, S.43 E.12 poles to two chestnuts, S.46 1/2 E.

26 poles to a small double white oak, ^s67 1/4 E.17 poles, S.40 3/4

E.26 1/2 poles, S.12 1/2 W.21 poles to stake in the branch,

thence with original south line S.82 1/2 E.21 3/4 poles to an

iron wood, corner to the lands of the said defendants Crabor-

chard Coal and Iron Co., and with line of ~~said~~ same N.29 1/2 W.

204 poles to a chestnut oak on the McCreffe line and with the same S. $46\frac{3}{4}$ W. $14\frac{1}{4}$ poles to the Beginning, and containing 22 acres more or less; and it is further adjudged, ordered and decreed that Alice and Emma Flanary pay one-ninth of the costs in this suit, that Sarah Flanary pay one-ninth of the costs of this suit, that Nancy Larmer pay one-ninth of the costs of this suit, that George Anderson, William Anderson, Robert ~~pay~~ Anderson and Jennie Arnett pay one-ninth of the costs of this suit and that the Crab Orchard Coal and Iron Company pay five-ninths of the costs of this suit, and execution may issue therefor. And there being nothing farther to be done herein, this cause is stricken from the docket.

Recorded in Reed Book No 35—
Pages 292 — 498

Examined
J. L. Dyer

Miss Marythal
vol of secretarial
book Orchard book
and her list

O.B.
Page 298

Enter this
June 5 1895
M. L. M.

Alice Flanary

Plff

vs

Crab Orchard Coal & Iron Co Defts

In Chancery

This Cause came on again this day to be heard upon the bill of the Complainants; and answer of George Anderson William Anderson. Robert Anderson and Jennie Arnett by Chas H Jones their Guardian ad litem, and was argued by Counsel. And it appearing that said Cause has duly matured by acceptance of service of process by deft Nancy Larmer, and by order of publication duly made against the other defendants; it is adjudged, ordered, and decreed, that L M Carnical Charles L Sandingham and Wm Woodward who are hereby appointed Commissioners for the purpose, do go upon the lands in the bill and proceeding mentioned and partition, and allot the same by assigning by assigning a one ninth interest in the whole of said lands adjoining to each other out of the larger tract if the same can be done without prejudicing the rights of others to Alice and Emma Flanary jointly a $\frac{1}{9}$ Share to said Nancy Larmer a $\frac{1}{9}$ Share, and a $\frac{1}{9}$ Share to Sarah Flanary, and to the said Anderson Children a $\frac{1}{9}$ Share jointly

and the residue of said lands they shall allot and assign to the said Crab Orchard Coal & Iron Co; In making this partition said Comrs will value the smaller tract of land as if it had the poplar timber standing thereon and will according to that value so assign the same to the said deft Company as a part of its interest in said land, and they will report their action to court to which time this cause is continued;

A Copy

Teste A B Munsey Clerk

Alice Flanary
Copy of Decree
Crab Orchard Coal & Iron

Executed January

the 17 1896

By delivering a

copy of the Decree

to Wm Woodward

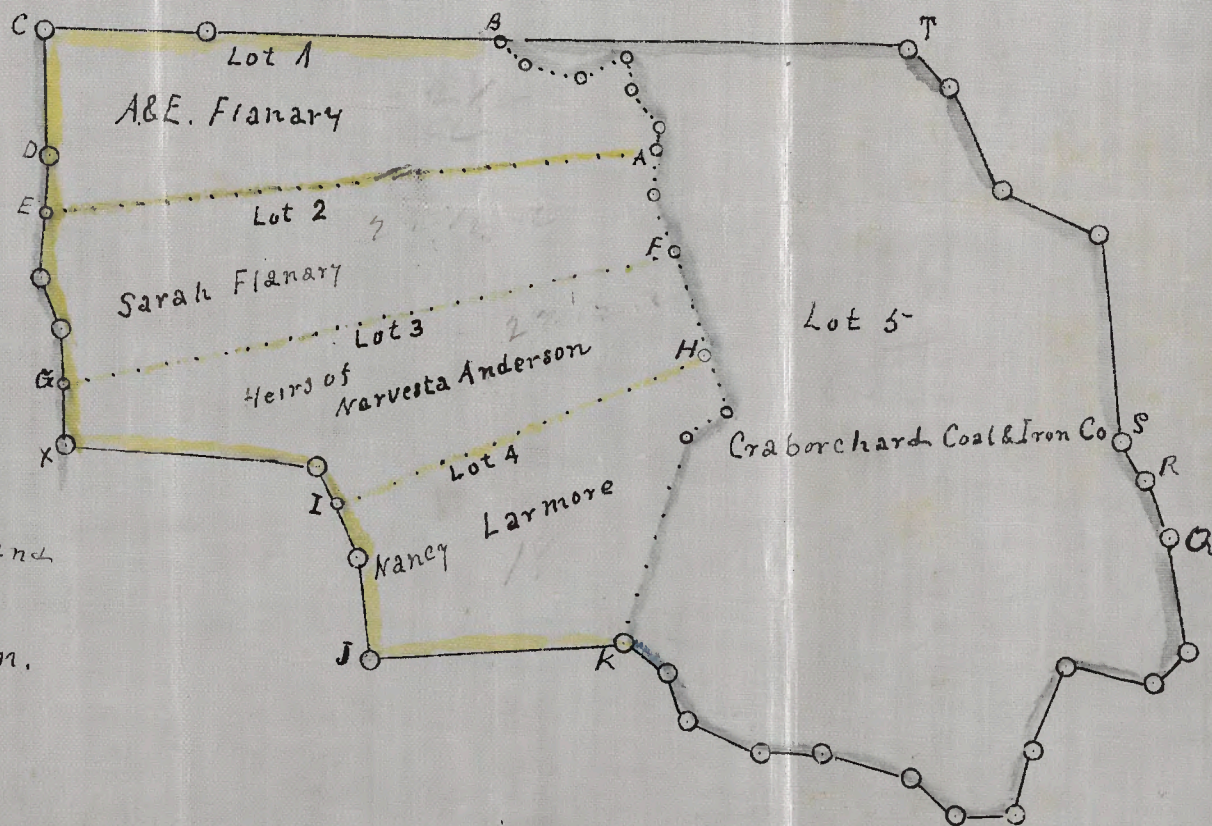
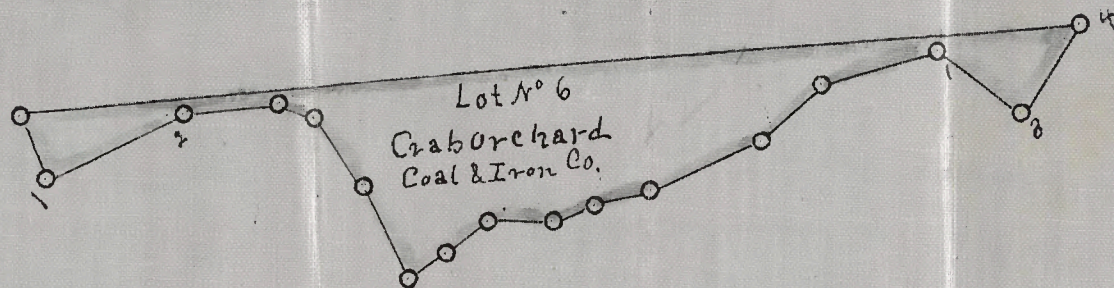
Charles Lanningham

& J M Lammachle

M R Kirkby

for E Flanary

J F L



Partition of
 Eliza Pennington Land
 By
 L.M. Carnical
 C.L. Laningham } Comm.
 Wm. Woodward
 1895

Mice Flauary et al ~~vs~~ Campbells.

vs. } In Chancery.

Leah Orchard Coal & Iron Co et al vs et al.

This cause came on this day to be heard upon the bill of the Complainants, and answer of George Anderson, William Anderson, Robert Anderson and Jennie Bennett by Chas. H. Jones their guardian ad litem, and was argued by Counsel. And it appearing that said cause has duly matured, by acceptance of service of process by Deft. Nancy Farmer, and by order of publication duly made against the other defendants, it is adjudged, ordered and decreed that L. M. Carmichael, Charles L. Loringham and Wm. Woodward who are hereby appointed Commissioners for the purpose, do go upon the lands in the bill and proceedings mentioned and partition and allot the same, by assigning a one-ninth interest in the whole of said lands adjoining to each other out of the larger tract if the same can be done with prejudicing the rights of either, to the said Complainants Alice and Jennie Flauary jointly a $\frac{1}{9}$ share, to said Nancy Farmer a

and a ~~one~~ 1/9 share to Sarah Glanville
1/9 share, and to the said Anderson
Children a 1/9 share ^{jointly}, and the
residue of said lands they
shall allot and assign
to the said Great Orchard
Coal and Iron Company, in
making this partition said Courts
will value the said smaller
tract of land as if it had the
poor timber standing thereon
and will according to that val-
ue so assign the same to the
said Grt. Company, as a part
of its interest in said land. And
they will report their action to
Court, to which time this cause
is continued.

Mice Flanary ital

no. } Dec 20 1

Leab Orchard local
list it at

copied in Hancey
Order Book
Page no 74

Enter this
Nov. 13 1894

W. J. M.

1 Alice Flanary Pleff
2 US D } In Chancery
3 Grobochard Coal & Iron Co. Defts

4 Pursuant to an order in the
5 above styled cause. We the undersigned Commissioners L.
6 M. Carnical, Charles L. Loringham and W^m Woodward
7 appointed in said decree of the Circuit Court of Ark
8 Co to partition the lands of Elijah Runnigton died
9 have complied therewith according to the following
10 Plat and report. We found said lands composed of
11 two separate tracts containing 171 and 222 acres.
12 We have laid off and assigned to Alice Flanary
13 and Emma Flanary jointly Lot N^o 1 which we
14 consider equal in value to one sixth of the two
15 parcels of land partitioned and is bounded as fol-
16 lows - Beginning at (A) a stake in public road (with
17 a small white oak pointer three links to the south) at corner to
18 Lot N^o two thence with said road N 1 1/2 E 5 poles N 42 W
19 9 3/4 poles N 9 1/2 W 7 poles S 60 W 10 poles N 80 W 11 1/2 poles N 57 W
20 7 poles to a stake on the north line of the original tract
21 and with the same N 85 3/4 W 147 poles to Chestnut saplings
22 original corner thence continuing with original line
23 N 85 3/4 W 34 poles to a birch on Sumners Creek thence
24 down the same as it meanders S 6 1/2 E 26 poles S 1 1/4 E 12 1/2
25 poles to a stake corner to Lot N^o 2 and with line of
26 same N 78 1/2 E 127 poles to the beginning containing
27 22 1/2 acres be the same more or less. See A. B. C. D
28 E. We have laid off and assigned to
29 to Sarah Flanary Lot N^o 2 which we consider
30 equal in value to one sixth the whole and is bound-
31 ed as follows Beginning at (F) a stake
32 in road (said stake bears from a white oak pointer

1 N 25° E 16 links) thence with road N 23 1/4° W 12 1/2 poles
2 N 1/2° E 10 poles to (A) a stake - the beginning corner of Lot
3 No 1 S 78 1/2° W 127 poles to a stake in Summers Creek
4 and with the same S 1/4° E 14 poles S 25 1/2° E 12 poles
5 S 74° E 11 poles to (C) a stake thence N 71 1/2° E 130 poles
6 to the beginning containing 22 1/2 acres More
7 or less. See Fig F.A.E.G.

8 We have laid off and assigned to George Jennie
9 Wm, and Robert Anderson the children of
10 Nerva Anderson Lot No 3 which we believe
11 to be equal in value to one with the whole and
12 bounded as follows - Beginning at (H) a
13 stake in road - about one pole North of a
14 rock-quarry and west of a white-oak pointer
15 marked thence with said road N 23 1/4° W 22 1/2 poles
16 S 71 1/2° W 130 poles to a stake in Summers Creek
17 and with the same S 74° W 12 poles to (X) a larch
18 corner to William Mullers land thence leaving
19 said Creek and with the original line S 88 1/4° E
20 54 poles to a white-oak maple and sourwood
21 on the top of a ridge thence with original line
22 S 36° E 8 1/4 poles to a white-oak thence N 62° E
23 84 poles to the beginning containing 22 1/2 acres
24 more or less See Fig H.F.G.X.I.

25 We have laid off to Nancy Larner Pat. No
26 4 which we believe to be equal in value to
27 one with the whole lands - Beginning at
28 (H) a stake in road corner to Pat. No 3 thence
29 with line of same S 62° W 84 poles to (I) a
30 white-oak on top of a ridge thence with
31 original line N 26° E 11 1/4 poles S 10° E 2 1/2 poles
32 to a stake and small sourwood a corner

1 to said Crab Orchard Coal & Iron Co's land (formerly
2 James Belhefs) and with line of same N 82 E
3 52 poles to a beech (Marked P) one pole south of road
4 N 11 3/4 E 47 poles N 51 3/4 E 11 3/4 poles thence with road N 28 3/4 W
5 12 to the beginning Containing 18 acres More or
6 less See Fig H.I.J.K

7 We have laid off and assigned the remaining
8 parts of said lands to the Crab Orchard Coal & Iron
9 Co and this we believe to be equal in value
10 (taking in consideration the poplar timber as it stood
11 on the 22 acre tract) to five parts of all the lands
12 partitioned - Lot No 5 is bounded as follows

13 Beginning at the beech (Marked P) corner to Lot No
14 4 and to the James Belhefs land and with line of
15 the latter S 56 E 11 1/4 poles to a black-gum S 29 3/4 E 12 poles
16 to a white-oak S 66 1/2 E 16 1/4 poles to a white-oak N 85 1/2 E
17 14 poles to a Chestnut-oak S 82 1/4 E 19 poles to a Chestnut (Marked
18 K) S 53 3/4 E 12 1/4 poles to a Chestnut-oak N 89 E 12 1/4 poles to a
19 black-gum (E) N 13 1/2 E 14 poles with Perry's line N 16 3/4 E
20 19 1/2 poles S 83 3/4 E 17 1/4 poles N 52 1/2 E 9 poles to a white oak (Marked
21 D) and four hickories (Mrs Edys Corner) and with line
22 of same and the top of a ridge N 13 W 24 poles to a
23 white-oak (Marked Q) N 24 3/4 W 12 1/5 poles to a white-oak (marked
24 Q) N 35 W 10 poles to a chestnut (S marked) thence N 12 1/2 W
25 43 1/2 poles to a large rock on the north side of road
26 N 70 3/4 W 22 poles to a Chestnut (Marked B) on the top
27 of a spur N 33 W 24 1/2 poles to a white-oak (Marked C)
28 N 46 1/2 W 11 poles to a small black-oak thence leaving
29 top of ridge and said Mrs Susan Edys land and
30 with original North line of tract S 85 3/4 W 86 poles to
31 (B) a stake Corner to Lot No 1 and with line of same
32 S 57 E 7 poles S 80 E 11 1/2 poles N 60 E 10 poles S 9 1/2 E 7 poles S 42 E 9 3/4 poles

1 S 1/2 E 15 poles - Continuing with lines of lots No 2, 3
 2 and 4 S 2 3/4 E 35 po S 28 3/4 E 12 poles S 5 1/2 W 11 1/2 po S 1 1/2 E 15
 3 44 poles to the beginning - Containing 85 acres
 4 More or less. Lat
 5 Lat No 6 is bounded as follows Beginning at
 6 a buckeye in a branch (Corner to Wm Woodward land)
 7 thence with lines of some S 48 3/4 E 32 po to a poplar
 8 S 30 3/4 E 20 po to a beech S 4 1/2 E 7 3/4 po to a poplar and white
 9 oak S 29 1/2 W 17 1/2 po to a Maple and sourwood on the
 10 top of a spur S 40 1/2 W 22 po to a service S 57 1/2 E 10 po to
 11 a chestnut on top of a ridge and with the same and
 12 with West line of original tract S 61 E 11 po to a chestnut
 13 oak S 22 3/4 E 14 po to a chestnut S 47 E 9 po S 43 E 12 po to two
 14 Chest-nuts S 46 1/2 E 26 po to a small double white oak
 15 S 67 1/4 E 17 po S 40 E 26 1/2 po S 12 1/2 W 21 poles to a stake in
 16 a branch thence with original south line S 82 1/2 E
 17 21 3/4 po to an Ironwood Corner to the lands of said
 18 Crab Orchard Coal & Iron Co and with line of some
 19 N 29 1/4 W 204 poles to a chestnut oak on the Mc-
 20 Criel line and with the same S 46 3/4 W 14 1/4 po
 21 to the beginning Containing 22 acres More
 22 or less - And in making this partition we
 23 have had due regard to groundly quality & timber
 24 &c

25 April. 1895. Respect Submitted
 26 E.M. Carnical
 27 C.L. Lammings }
 28 Wm Woodward }

Alice Flanary et al
 vs
 Corns Report
 Crab Orchard C & I Co
 Filed May 22nd 1895
 As B Murray et al

Bill of Cost for Court
 & for Commission
 Surveyors \$22.17
 C.L. Lammings 6.00
 Wm Woodward 6.00
 Total \$34.17

In the Clerk's Office of the Circuit Court of the County of
Lee on the 13th day of September 1894.

Alige Flannery, Emma Flannery
and Sarah Flannery Plaintiffs

against

Crab Orchard Coal & Iron
Company, Anderson, T Dr S P Larner, Defendant.

In Chancery
George Anderson
Robert Anderson

The object of this suit is to partition the lands belonging to the
heirs of Elifoh Pennington deceased and their
assigns

And an affidavit having been made and filed that the defendant Jennie Amett (nee Anderson)
William Anderson, George Anderson, Robert Anderson, Dr S P Larner
are not residents of the State of Virginia, it is ordered that they do appear here, within fifteen days
after due publication hereof, and do what may be necessary to protect their interest in this suit. And it is
further ordered that a copy hereof be published once a week for four weeks in the South West
Virginian, and that a copy be posted at the front door of the court-house of this County
on the first day of the next term of the County Court.

A copy—Teste:

Pennington Bros. p. q.

A B Munsey Clerk.

Alice Flanary et al

VS.

ORDER
OF
PUBLICATION.

Crab Orchard Coal & Co

I A. B. Munsey Clerk of
the circuit Court for Lee
County do certify that I
delivered a copy of the with
in order to W. H. Gads.
Editor of the South west Vir-
ginian for publication
that I posted a copy of
the front door of the court
house on the 1st day of
the October term of the
County court
Given under my hand
this the 11th day of
Oct 1894

A. B. Munsey Clerk

The Commonwealth of Virginia,

Seargent of the City of Bristol
To the ~~Sheriff of the County of Lee~~ Greeting:

WE COMMAND YOU, That you summon

*The Crab Orchard Coal &
Iron Company a corporation, Jennie Arnett
nee Anderson ^{Wm} Anderson, George Anderson
Robert Anderson, ^{Wm} ~~S. B.~~ Larmer*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *1st* Monday in *October*, 189*4*, to answer a bill in Chancery,

exhibited against *It* in our said court by *Alice Flanary*
Ema Flanary and Sarah Flanary Complainants

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

21st day of *August*, 189*4*, and in the 11 *9th* year of the

Commonwealth.

A. B. Munsey Clerk.

Alice Flanagan et al

vs.

SUPREMA
IN CHANCERY. Co

Prob Orchard Coal Co

P. Bros

p. q.

To 1st October Rules,
Circuit Court.

M. M. Butler, Pres.
~~L. W. Jones, Secy.~~
~~Managers~~ of the Prob Orchard
Coal & Iron Co - ac-
cept service of the
within summons for
the said Company -
this August 1874.

M. M. Butler

Pres. C. O. C. & I. Co

I accept legal service of the
within for the Prob Orchard Coal & Iron
Company. This Oct 31/74
C. M. Flanagan
City -

Pleffs Costs

C 6.07 Pairs

S 1.80

atty 18.00

Gr AL 5.00

Cours 34.17

Tax 1.80

Printer 6.60

69.84

Alice Flannery et al

vs } Bill

Crab Orchard Coal
Iron Co.

Pennington Bros p. J.

1894 2nd Sept Rules bill filed
+ order of Publication for
non Resident Defts

" 1st Oct Rules ~~Seem~~ accepted
by M. M. Butler President
of the Crab Orchard Coal &
Iron Co. & Secrecy Mini
asts it. + could asts non
Residents for ord Pub to Comp

2nd Oct Rules Decege Mini Comp
asts the Va Coal & Iron Company
+ could asts to other Defts

1st Nov Rules, Ord Pub completed
+ Cause set for hearing
by Plff